

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Taelor Green,

Case No.: 2:23-cv-00244-JAD-VCF

Plaintiff,

ORDER

V.

James Scally, et al.,

Defendants.

Pro se plaintiff Taelor Green, an inmate in the custody of the Nevada Department of Corrections, has submitted a complaint under 42 U.S.C. § 1983 alleging that his constitutional rights were violated while he was incarcerated at High Desert State Prison. (ECF No. 1-1). But Plaintiff has not applied to proceed *in forma pauperis* or paid the \$402 filing fee for a civil action.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. *See* 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis.*” LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. *See* 28 U.S.C. § 1915(a)(1)–(2); LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee in installments. *See* 28 U.S.C. § 1915(b).

IT IS THEREFORE ORDERED that **on or before May 30, 2023**, Plaintiff must either pay the full \$402 filing fee or file a fully complete application to proceed *in forma pauperis* with all three required documents: a completed application with the inmate's two signatures on page 3; a

1 completed financial certificate that is signed both by the inmate and the prison or jail official; and
2 a copy of the inmate's trust fund account statement for the previous six-month period.

3 IT IS FURTHER ORDERED that if Plaintiff fails to timely comply with this order, this
4 action will be subject to dismissal without prejudice. A dismissal without prejudice allows
5 Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a
6 complete application to proceed *in forma pauperis* or pay the required filing fee.

7 The Clerk of the Court is **INSTRUCTED** to send Plaintiff Taelor Green the approved form
8 application to proceed *in forma pauperis* for an inmate and instructions for the same and retain the
9 complaint and exhibits (ECF No. 1-1) but not file them at this time.

10 IT IS SO ORDERED.

11 DATED: March 28, 2023.



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14 UNITED STATES MAGISTRATE JUDGE
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